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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

ROLLER COASTER FILMS, LLC, a
California limited liability company,

Plaintiff,

vs.

DOUGLAS BUSBY, an individual; and
DAMASCUS FILMS, an unknown
entity,

Defendants.

CASE NO. CV 10-1508 DSF (PLAx)

**ORDER ON STIPULATED
PRELIMINARY INJUNCTION**

STIPULATED PRELIMINARY INJUNCTION

Plaintiff Roller Coaster Films, LLC (“Plaintiff”) and defendants Douglas Busby and Damascus Films (“Defendants”), by and through their counsel of record, hereby agree and stipulate to a Preliminary Injunction, as follows:

IT IS HEREBY AGREED that **DEFENDANTS DOUGLAS BUSBY AND DAMASCUS FILMS**, and their officers, agents, servants, employees, and attorneys, and all persons acting in concert or participation with any or all of them, be hereby enjoined and restrained from engaging in, committing, or performing, directly or indirectly, any and all of the following acts, from the issuance of this Preliminary Injunction until the entry of final judgment in or dismissal of this action, without the express written permission of Plaintiff or its counsel:

- a. Directly or indirectly causing or permitting the reproduction, public display, distribution, or copying of the motion picture entitled *The Road to Nkunda* (also known as *Rebel Holiday*) (the “Film”);
- b. Altering the Film, or the contents of any hard drive or other storage medium containing the Film, in any way;
- c. Holding themselves out as the owner, or representing that they are the owner, of the copyright in the Film; and
- d. Otherwise infringing Plaintiff’s copyright in the Film.

Nothing herein shall prevent Defendants from truthfully describing any of their involvement with the creation, production, direction, writing, filming and/or other development of the Film.

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1 **IT IS FURTHER AGREED** that, pending entry of final judgment in or
2 dismissal of this action, **DEFENDANTS DOUGLAS BUSBY AND DAMASCUS**
3 **FILMS**, and their officers, agents, servants, employees, and attorneys, and all
4 persons acting in concert or participation with any or all of them, are hereby ordered
5 to turn over to Plaintiff's counsel any and all copies of the Film ("Copies") in their
6 possession, custody, or control; any and all accompanying or underlying footage
7 ("Footage") or materials regarding the Film in their possession, custody, or control;
8 and any hard drive or other storage medium containing the Film or any footage or
9 materials regarding the Film ("Hard Drives") in their possession, custody, or
10 control. Defendants shall turn over all Copies, Footage and Hard Drives
11 immediately upon entry of this Stipulated Preliminary Injunction. Defendants shall
12 have seven days from the entry of this Stipulated Preliminary Injunction to turn over
13 to Plaintiff's counsel all correspondence or other written materials in their
14 possession, custody or control regarding or relating to the Film.

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1 Notwithstanding the foregoing, counsel for Defendants Caroline Mankey,
 2 Esq. may retain two DVD copies of the Film in their sole and exclusive possession,
 3 solely for use in connection with the defense of this action and/or any cross-action
 4 or related appeals (the "Litigation"), and hereby agrees that they shall not display,
 5 show or produce the Film to anyone for purposes of the Litigation unless and until
 6 an order or stipulation has been entered protecting the confidentiality of the Film.
 7 Counsel for Defendants shall not copy, reproduce, display, show or produce the
 8 Film, or any copies thereof, to anyone for any other purpose.

9
 10 Dated: March 12, 2010

KINSELLA WEITZMAN ISER
 KUMP & ALDISERT LLP

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 12
 13 /s/
 Chad R. Fitzgerald, Attorneys for
 Plaintiff Roller Coaster Films, LLC

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 15 Dated: March 12, 2010

CYPRESS, LLP

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 17 /s/
 Caroline H. Mankey, Attorneys for
 Defendants Douglas Busby and
 Damascus Films

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 19 **IT IS SO ORDERED.**

20
 21 DATED: 3/15/10, 2010

22 
 23 Hon. Dale S. Fischer
 24 United States District Court Judge

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 808 Wilshire Boulevard, 3rd Floor, Santa Monica, California 90401.

On March 15, 2010, I served the following document(s) described as **[PROPOSED] STIPULATED PRELIMINARY INJUNCTION** on the interested parties in this action as follows:

Caroline H. Mankey	caroline@cypressllp.com
CYPRESS LLP	Phone: 424-901-0149
11111 Santa Monica Boulevard, Suite 500	Fax 424-750-5100
Los Angeles, California 90025	
[Attorneys for Defendants]	

☐ **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Kinsella Weitzman Iser Kump & Aldisert's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

☒ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent from e-mail address choffman@kwikalaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 15, 2010, at Santa Monica, California.

_____/s/
Candace E. Hoffman